

LEGISLATION CURRENTLY UNDER CONSIDERATION BY THE KENTUCKY GENERAL ASSEMBLY THAT AFFECTS KENTUCKY LAW ENFORCEMENT

The following is a compilation of bills that may be of interest to Kentucky law enforcement. This document is not intended only to report what is being considered by the General Assembly.

POLICE & FIRE INCENTIVE PAY

[HB 308/LM/AA](#) (BR 842) - [S. Riggs](#), [D. Butler](#)

AN ACT relating to public employee incentive pay programs and making an appropriation therefor.

Amend various sections of KRS Chapter 15 and KRS 95A.250, relating to the Kentucky Law Enforcement Foundation Program fund and the Firefighters Foundation Program fund, to increase the annual supplement payment to local governments for qualifying law enforcement officers and firefighters from \$3,000 to \$4,000 in 2016 and \$4,500 in 2018; to include all law enforcement agencies with POPS certified officers; to provide a reimbursement to local governments to fully reimburse for required contributions to the employee pension system resulting from the supplement increase; to provide partial compensation for local government administrative expenses; to amend KRS 95A.262 to increase the annual allocation to volunteer fire departments from the Commission on Fire Protection Personnel Standards and Education from \$8,250 to \$11,000 in 2016 and \$12,000 in 2018. Feb 5-introduced in House

HEROIN

There are a number of Heroin related bills both in the House and the Senate. Senate Bill 5 passed out January 8, 2015 and resides in the House for consideration. The main Heroin bill for the house is HB 50. Some of the topics associated with Heroin are: punishment, naloxone, awareness training & needle exchange.

[SB 5/LM/CI](#) (BR 59) - [C. McDaniel](#), [J. Schickel](#), [D. Thayer](#), [J. Adams](#), [R. Alvarado](#), [J. Bowen](#), [J. Carpenter](#), [D. Carroll](#), [C. Embry Jr.](#), [C. Girdler](#), [E. Harris](#), [J. Higdon](#), [P. Hornback](#), [S. Humphries](#), [A. Kerr](#), [M. McGarvey](#), [W. Schroder](#), [D. Seum](#), [B. Smith](#), [W. Westerfield](#), [M. Wilson](#), [M. Wise](#)

AN ACT relating to controlled substances.

Amend KRS 72.026 to increase the scope of mandatory coroner and medical examiner examinations and reporting in deaths involving a Schedule I controlled substance; create a new section of KRS Chapter 205 to specify the controlled

substance treatment services to be offered under Medicaid; amend KRS 217.186 to increase the availability of Naloxone for use as a rescue drug for narcotic overdose situations; create a new section of KRS Chapter 218A to provide an opportunity for deferred prosecution for persons seeking emergency help in drug overdose situations; amend KRS 218A.1412 to establish a 50 percent minimum time service requirement for higher-level traffickers in heroin, to remove the quantity thresholds in heroin and fentanyl prosecutions, and to provide the ability to deviate from the service requirement in cases where the defendant provides assistance to the prosecution; amend KRS 218A.500 to exempt needles and sharps declared to a peace officer prior to a search of a defendant's person; amend KRS 439.3401 to require a minimum 50 percent time service requirement for homicide and fetal homicide offenders in situations in which the decedent died due to a Schedule I drug overdose; direct the Department of Criminal Justice Training to conduct regionalized heroin-specific in-service training for law enforcement officers by December 31, 2015.

[HB 105](#) (BR 200) - [J. Tilley](#), [L. Belcher](#)

AN ACT relating to naloxone and declaring an emergency.

Amend KRS 217.186 to allow the opiate overdose rescue medication naloxone to be prescribed to persons or agencies capable of administering the medication in emergency situations; allow first responders to access and utilize the medication; allow pharmacists certified to do so to prescribe and dispense the medication; Jan 6-introduced in House; to Judiciary (H)

DISPOSAL OF VEHICLES

[HB 19/LM](#) (BR 70) - [H. Collins](#), [C. Miller](#)

AN ACT relating to the disposal of vehicles forfeited to law enforcement agencies.

Amend KRS 218A.420, regarding the disposition of forfeited property, to clarify that any vehicle forfeited which is contaminated with methamphetamine shall not be used, resold, or salvaged for parts, but shall instead be destroyed or salvaged for scrap metal

STALKING

[HB 22/LM/CI](#) (BR 96) - [T. Kerr](#), [R. Bunch](#), [K. Imes](#)

AN ACT relating to stalking.

Amend KRS 403.720 to include stalking in the definition of "domestic violence and abuse," thereby allowing protective orders to be issued. Jan 6-introduced in House; to Judiciary (H)

DRIVING UNDER THE INFLUENCE

There are a number of bills related to DUI in both the House and Senate. Most of them relate to prosecutorial issues.

[HB 39/LM](#) (BR 39) - [R. Nelson](#)

AN ACT relating to prosecutions for driving under the influence.

Amend KRS 189A.010 to require prosecuting attorneys to conduct criminal background checks on defendants prior to filing charges. Jan 6-introduced in House; to Judiciary (H)

[HB 60/LM/CI](#) (BR 270) - [D. Keene](#), [L. Clark](#), [H. Collins](#), [R. Crimm](#), [M. Denham](#), [J. Donohue](#), [J. Greer](#), [K. Imes](#), [J. Jenkins](#), [C. Miller](#), [J. Miller](#), [R. Nelson](#), [R. Palumbo](#), [S. Santoro](#), [D. Schamore](#), [D. St. Onge](#), [W. Stone](#), [D. Watkins](#), [A. Wuchner](#)

AN ACT relating to driving under the influence.

Amend various sections in KRS Chapter 189A relating to DUI to replace the current hardship license system with an ignition interlock licensing system Jan 6-introduced in House; to Judiciary (H)

[HB 135/LM/CI](#) (BR 334) - [M. Harmon](#), [K. King](#), [J. DuPlessis](#), [D. Keene](#), [J. Tipton](#)

AN ACT relating to driving under the influence.

Amend various sections in KRS Chapter 189A, relating to driving under the influence, to restructure the existing penalties from a four-tiered structure to a three-tiered structure; expand the look-back window for prior offenses from five years to ten years, and to allow forfeiture of motor vehicles used in a DUI if the operator's license had been previously suspended; amend KRS 281A.2102 to conform. Jan 9-to Judiciary (H)

[SB 34/LM/CI](#) (BR 215) - [D. Parrett](#), [W. Westerfield](#), [M. Wilson](#)

AN ACT relating to driving under the influence and declaring an emergency.

Amend various sections in KRS Chapter 189A, relating to driving under the influence, to expand the look-back window for prior offenses from five years to ten years. Jan 6-introduced in Senate Feb 3-to Judiciary (S)